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EXAMINER

LEE, CHI CHUNG

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2131

DATE MAILED: 09/17/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/781,201

Applicant(s)

WOOD, ROGER D.

Examiner

Chi-Chung E Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

2. Claim 7 recites the limitation "said active display area" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims **1-6, 8-16** are rejected under 35 U.S.C. 102(b) as being anticipated by Daggar (US 5,748,737 A).

Daggar is directed to an electronic wallet card which provides multiple data media interfaces. The electronic wallet acts as a digital card acceptance terminal and to authenticate and optionally store any digital card transaction.

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As per claim 1, Daggar discloses a portable authentication device (i.e. a electronic wallet 100, see figure 1) contains:

- a) a body (i.e. device body, see figure 1);
- b) a contact area (i.e. a replaceable battery 250, see figure 1);
- c) an identification portion (i.e. a card owner signature and bar code, see column 13 lines 65-67);
- d) a display area (i.e. display 110, see figure 1);
- e) a processor (i.e. a wallet Micro-module 200, see figure 2A) for providing protected data processing.

As per claims 2, 3, Daggar discloses the electronic wallet contains a generic multimedia multimedia card 260 can assume the identity of any digital card (i.e. credit card) and is of dimensions in compliance with ISO document 7810 (i.e. three dimension card). Daggar also discloses the generic multimedia card 260 of different dimensions may be used such as a thinner more flexible card (i.e. credit card size) typically used in public transportation [see column 13 lines 4-12].

As per claims 4, 6, Daggar discloses an electronic wallet 100 has data processing means, data storage means, and media interface means (i.e. authentication device interface). The wallet micromodule 200 provided protected data processing (i.e. processing authentication information) and data storage means. The micromodule is a microprocessor with connected non-volatile memory, which includes special physical,

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logical and chemical measures to prevent unauthorized data access [see column 10 lines 45-56]. Daggar also discloses the data input-output means (i.e. a contact) is used to provide authentication of the electronic wallet and for data transfer (i.e. communication data, see column 8 lines 61-66).

As per claim 5, Daggar discloses the electronic wallet includes a power supply means for providing power to the electronic wallet and generic multimedia card circuitry [see column 8 lines 49-51]. The power can be supplied by a replaceable battery (i.e. an external-supplied power, see column 12 lines 66-67).

As per claim 8, Daggar discloses a generic multimedia card 260 (i.e. a machine-readable portion, see figure 2B). The digital card transactions can be downloaded (i.e. stored) to the generic multimedia card. Daggar discloses the generic multimedia card magnetic stripe 280 allows data to be written to it and read from it [see column 13 lines 4-55].

As per claim 9, Daggar is directed to the card is inserted into the electric wallet 100 with the card magnetic stripe 280 placed against the magnetic transducer array (MTA) [see column 16 lines 6-18]. Daggar also discloses a wide variety of sensing methods could have been designed including voltage difference measurements, optical sensors, etc. [see column 14 lines 52-58].

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As per claims 10, 11, 12, 13, Daggar discloses the electric wallet including a radio frequency communication means (i.e. a communication portion) for providing wireless data transfer (i.e. wireless communication, see column 8 lines 44-60). Daggar discloses the wallet card 400 includes a radio frequency transceiver 230, which provides extremely fast interactive communication between an electronic wallet 100 and a communication device or another electronic wallet [see column 12 lines 47-54]. Daggar also discloses a very small and effective antenna that could be employed with the radio transceiver of the present invention [see column 12 lines 54-58].

As per claims 14, 15, 16 Daggar discloses a protected storage means (i.e. a memory portion) connected to the processor means for storing digital card processes and data [see column 8 lines 44-48]. Daggar discloses owner specific physical information could be included on the generic multimedia card [see column 13 lines 65-column 14 line 1]. Daggar also discloses a microprocessor with connected non-volatile memory, which includes special physical, logical and chemical measures to prevent unauthorized data access [see column 10 lines 50-56].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Daggar (US 5,748,737 A) as applied to claim 1 above, and further in view of Data Dictionary.

As per claim 7, Daggar discloses a keypad 120 and display 110 [see figure 1] provide user interface means. Daggar does not expressly disclose the display is enabled for bistable display of authorization information. As defined in Computer Dictionary, the bistable display is a term of a system or device that has two possible states, such as ON and OFF. The examiner asserts that the ON/OFF button of keypad 120 can enable the display area 110 to have the ON/OFF bistable display capability is well known in the art. The motivation to have bistable performance in the variable display is to require power only for updating and allow displayed information to be retained without a need for power.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 17-21, 23-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Maes et al (US 6,016,476 A).

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Maes is directed to a portable client PDA with a touch screen and having a microphone and local central processing unit (CPU) for processing voice commands and for processing biometric data to provide user verification.

As per claims 17, 19, Maes discloses a authentication system comprising:

- a) a portable authentication device) with a user interface/display (i.e. a portable information and transaction processing system comprising a PDA 10 with a user interface/display 34 for user to enter certain verification data, see figure 1);
- b) a database server (i.e. a central server 60, see figure 3) to store the verification data [see column 8 lines 12-31];
- c) an authentication device interface (i.e. an transaction terminal 80 coupling the central server 60 and PDA, see Figure 3).

Maes also discloses that the communication may be established through a digital communication channel such as Internet (i.e. a public network, see column 7 lines 57-67).

As per claim 18, Maes discloses the smart card reader/writer 30 (i.e. an authentication device reader). The magnetic reading device of the transaction terminal (i.e. authentication device data interface) which can read the consumer transaction and send it to the proper financial institution 70 via communication link [see column 11 lines 27-40].

As per claims 20, 21, Maes discloses the central server 60 [see figure 3] will prompt the user through user interface/display 34 (i.e. a patron portion) to provide certain transaction

limitations such as the specific financial card information (i.e. a venue portion) to be used. The digital certificate will be downloaded onto user PDA after the requested transaction limitations processed [see Fig 4]. With the valid digital certificate, the user can then perform the local operating mode of the PDA device [see column 9 line 65-column 10 line 17].

As per claims 23, 30, the claimed steps corresponds to the functions of the elements of the apparatus claims 17,19, which has been rejected above, and thus rejected with the same reason applied thereto.

As per claims 24, 25, 26 Maes discloses the step of user verification 110. With the valid digital certificate, the user can perform (i.e. granting the access to the venue) the local operating mode the PDA [see figure 4]. The user is prompted to provide verification data 102 (i.e. identification data, see column 10 lines 1-28).

As per claim 27, Maes discloses the communication link L3 is established between the transaction terminal 80 (i.e. an authentication device interface) and the central server 60 (i.e. database server, see figure 3).

As per claims 28, 29, Maes discloses the enrollment (i.e. user request) involves providing the service provider with personal information such as the user's social security number. Such information is stored in the central server 60 and used to verify the user [see column

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7 lines 20-35]. Maes also discloses a user can establish a communication link L1 by dialing (i.e. remote) into the central server 60 of the service provider [see column 7 lines 57-67].

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Maes et al (US 6,016,476 A)**.

As per claim 22, Maes discloses the communication can established through a telephone line via the modem 58 and telephone line interface 46 [i.e. a phone ordering interface, see fig. 1]. The examiner asserts that the request by a patron to communicate the authentication data associated with a venue to said database server through public switched telephone network (i.e. PSTN) is well known in the art. The motivation to use the PSTN to transmit the data request and authentication data is because PSTN simply refers to the local, long distance, and international phone system which we use every day. PSTN refers to the entire interconnected collection of local, long distance and international phone companies, which could be thousands to provide the communication

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between venue and the database server. PSTN is the international telephone system based on the copper wires carrying analog voice data.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chi-Chung E Lee whose telephone number is 703-306-4153. The examiner can normally be reached on 8 am - 5 pm, Mon. - Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

C. L.
Chi-Chung Lee
9/6/2003


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